

So Ordered.

Signed this 8 day of November, 2021.



Robert E. Littlefield, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

-----X

IN RE:	:	CASE NO.: 18-11243-1-rel
	:	
	:	CHAPTER: 13
Mary Holmes,	:	
	:	HON. JUDGE.:
	:	Robert E. Littlefield Jr.
Debtor.	:	
	:	
	:	
	:	
	:	
	:	

-----X

STIPULATION AND ORDER CONSENTING TO
MOTION TO SELL

WHEREAS, on October 13, 2021, the Debtor filed a Motion to Sell Property of the

Estate pursuant to 11 U.S.C. 363(b) pursuant (hereinafter the "Motion to Sell"), as to the
property real located at 205 Linden Street, Schenectady, NY 12304 (the "Premises"); and

WHEREAS, SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of the Cabana Series IV Trust, a secured creditor (hereinafter “Secured Creditor”), is the owner of a Note and Mortgage dated April 24, 2007, given by Mary Holmes (the “Debtor”) and Roberta Sabattis (the “Non-Filing Co-Debtor”) in the original principal amount of \$79,100.00, pledging as security the Premises, and

WHEREAS the Secured Creditor by its attorneys Friedman Vartolo, LLP, filed a Limited Objection to the Motion to Sell on October 28, 2021,

NOW, the Secured Creditor and Debtor’s counsel have consented and agree to as follows, it is hereby

ORDERED, that the Secured Creditor shall be paid in full on the Closing Date; and it is further

ORDERED, that the closing shall take place no later than thirty (30) days from entry of the date of this Order (the “Closing Date”); and it is further

ORDERED, that in the event this case is converted to a case under any other chapter of the U.S. Bankruptcy Code, this Order will remain in full force and effect; and it is further

ORDERED that the Debtor shall pay the balance needed to complete the Confirmed Chapter 13 Plan from the proceeds of the Closing to the Chapter 13 Trustee.

Consented and Agreed to:

By: /s/ Kristie H. Hanson

Date: Nov. 3, 2021

Name:

Kristie H. Hanson, Esq.
1801 Altamont Avenue
Schenectady, NY 12303

By: /s/Michael L. Carey

Date: Nov. 3, 2021

Michael L. Carey, Esq.
Friedman Vartolo LLP
Attorneys for Secured Creditor
1325 Franklin Ave., Ste. 230
Garden City, NY 11530

###